

§ 831h-3. Recreational access, 16 USCA § 831h-3

United States Code Annotated

Title 16. Conservation

Chapter 12A. Tennessee Valley Authority (Refs & Annos)

16 U.S.C.A. § 831h-3

§ 831h-3. Recreational access

Effective: December 16, 2016

Currentness

(a) Definition of floating cabin

In this section, the term “floating cabin” means a watercraft or other floating structure--

- (1) primarily designed and used for human habitation or occupation; and
- (2) not primarily designed or used for navigation or transportation on water.

(b) Recreational access

The Board may allow the use of a floating cabin if--

- (1) the floating cabin is maintained by the owner to reasonable health, safety, and environmental standards, as required by the Board;
- (2) the Corporation has authorized the use of recreational vessels on the waters; and
- (3) the floating cabin was located on waters under the jurisdiction of the Corporation as of December 16, 2016.

(c) Fees

The Board may levy fees on the owner of a floating cabin on waters under the jurisdiction of the Corporation for the purpose of ensuring compliance with subsection (b) if the fees are necessary and reasonable for such purpose.

(d) Continued recreational use

(1) In general

With respect to a floating cabin located on waters under the jurisdiction of the Corporation on December 16, 2016, the Board--

(A) may not require the removal of the floating cabin--

(i) in the case of a floating cabin that was granted a permit by the Corporation before December 16, 2016, for a period of 15 years beginning on December 16, 2016; and

(ii) in the case of a floating cabin not granted a permit by the Corporation before December 16, 2016, for a period of 5 years beginning on December 16, 2016; and

(B) shall approve and allow the use of the floating cabin on waters under the jurisdiction of the Corporation at such time and for such duration as--

(i) the floating cabin meets the requirements of subsection (b); and

(ii) the owner of the floating cabin has paid any fee assessed pursuant to subsection (c).

(2) Savings provisions

(A) Nothing in this subsection restricts the ability of the Corporation to enforce reasonable health, safety, or environmental standards.

(B) This section applies only to floating cabins located on waters under the jurisdiction of the Corporation.

(e) New construction

The Corporation may establish regulations to prevent the construction of new floating cabins.

CREDIT(S)

(May 18, 1933, c. 32, § 9b, as added Pub.L. 114-322, Title IV, § 5003, Dec. 16, 2016, 130 Stat. 1886.)

16 U.S.C.A. § 831h-3, 16 USCA § 831h-3

Current through P.L. 114-316. Also includes P.L. 114-318 to 114-327, and 115-1 to 115-3. Title 26 current through 115-3.